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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/029,638

12/19/2001

John Bankier

E003-1101US0

5044

48789 7590 08/03/2007  
LAW OFFICES OF BARRY N. YOUNG  
260 SHERIDAN AVENUE  
SUITE 410  
PALO ALTO, CA 94306-2047

EXAMINER

TRUONG, LAN DAI T

ART UNIT

PAPER NUMBER

2152

MAIL DATE

DELIVERY MODE

08/03/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Interview Summary</b>	<b>Application No.</b> 10/029,638	<b>Applicant(s)</b> BANKIER ET AL.	
	<b>Examiner</b> Lan-Dai Thi Truong	<b>Art Unit</b> 2152	

All participants (applicant, applicant's representative, PTO personnel):

(1) Lan-Dai Thi Truong.

(3) Examiner Philip Lee.

(2) Attorney Barry N. Young  
Reg No. 27,744.

(4) \_\_\_\_\_.

Date of Interview: 31 July 2007.

Type: a) ☒ Telephonic    b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant    2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes    e) ☐ No.  
If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: claim 1.

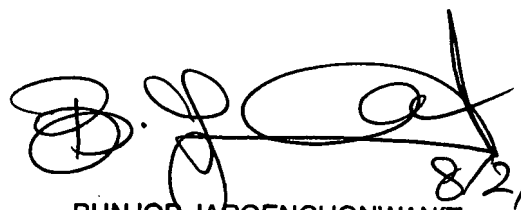
Identification of prior art discussed: Lin et al. (U.S. 2002/0073211); Forlund et al. (U.S. 6,381,617); Kashyap et al. (U.S. 2002/0087912).

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

  
 8/2/17  
 BUNJOB JAROENCHONWANIT  
 SUPERVISORY PATENT EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Discussion regarding how the claimed limitations of: "determining the actual state of transaction at a failure; recovering from the actual state at failure; and transmitting a response message to client that masks the failure; user-defined conditions and policies for transparent failover" being interpreted and read from the prior arts

Explore whether there are amendments/ clarifications can be made to the independent claims .

LAW OFFICES  
of  
Barry N. Young

Court House Plaza, Suite 410  
260 Sheridan Avenue  
Palo Alto, CA 94306-2047

Tel: (650) 326-2701  
Fax: (650) 326-2799  
[byoung@young-inlaw.com](mailto:byoung@young-inlaw.com)

July 26, 2007

**FACSIMILE COVER SHEET**

TO: Examiner Troung, Lan Dai T. Art Unit : 2152  
FIRM: USPTO  
FAX No.: (571) 273-7959  
RE: Serial No. 10/029,638; Filed 12/19/2001; Applicant: Bankier, John

OUR REF.: E003-1101US0

Total Number of Pages Including Cover Sheet: 1

MESSAGE: Agenda for Telephone Interview July 31, 2007 at 2:00PM EDT –  
Examiner Troung and Primary Examiner Lee

The items I wish to discuss are:

1. To confirm that Office Action of May 1, 2007 pertains to the claims of record as per the Amendment of January 11, 2007.
2. The rejections under §103 on Lin, Frolund, Kashyap and Barker and the lack of teaching of the independent claim limitations: (a) determining the actual state of a transaction at a failure; (b) recovering from the actual state at failure; and (c) transmitting a response message to a client that masks the failure.
3. The lack of teaching in the references of Independent Claim 33 limitations of user-defined conditions and policies for transparent failover.
4. Explore whether there are amendments/clarifications that can be made to the independent claims to address the Examiner's interpretations and avoid the rejections.

I shall telephone you at 2:00 PM on July 31<sup>st</sup>.

Respectfully,

Barry N. Young

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